

SECRET



PATENT
Agent Docket No. 204526

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kovesdi et al.

Application No. 09/599,997

Art Unit: Unassigned

Filed: June 23, 2000

Examiner: Unassigned

For: VIRAL VECTOR ENCODING
PIGMENT EPITHELIUM-DERIVED
FACTOR

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicants hereby respond to the Notice To File Missing Parts of Application dated July 28, 2000.

This application is on behalf of a small entity. The verified statement was filed on June 23, 2000.

Pursuant to 37 C.F.R. § 1.16(e), the surcharge for a small entity for filing this response is \$65.00. In payment of this fee, please charge the undersigned's Deposit Account No. 12-1216 the sum of \$65.00. If any additional fee is required in connection with this communication, charge the undersigned's Deposit Account No. 12-1216. A duplicate of this communication is attached for that purpose.

A copy of the Notice to File Missing Parts is enclosed with this response.

Submitted herewith is the executed Declaration of inventors.

CERTIFICATE OF MAILING

I hereby certify that this document (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Aug. 15, 2000

Peter Phillipson

In re Appln. of Kovesdi et al.
Application No. 09/599,997

With respect to the "Sequence Listing" requirement recited in the Notice, the undersigned agent has reviewed the specification, claims, and abstract of the application for any instances in which nucleotide and/or amino acid sequences are disclosed, and cannot identify any such instances. The undersigned agent has also received the advice of Robert Wax of the U.S. Patent and Trademark Office's Sequence Listing Customer Service Center, and, acting on Robert Wax's advice, the undersigned agent offers the following statement regarding the "Sequence Listing" requirement:

The undersigned agent believes that the "Sequence Listing" requirement in the Notice to File Missing Parts was made in error. After reviewing the patent application, the undersigned agent cannot identify any disclosures of nucleotide and/or amino acid sequences. Since there are no sequence disclosures in the application, the undersigned agent is unable to make a sequence listing submission under 37 CFR 1.821-1.825.

Respectfully submitted,



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Date: August 15, 2000